

REMARKS

Claims 1, 2, 4-8 and 10-48 are pending. Claims 4-6 and 20 are amended. New claim 48 is added.

Applicants note that claims 1, 2, 4-8, 10-19, and 27-47 are allowed.

Reconsideration of the rejection of claims 20-26 under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 3,454,000 to Bird et al. ("Bird") is requested. It is believed that amended independent claim 20, and dependent claims 21-26, are not anticipated by Bird at least for any one of the reasons given below.

Regarding claim 20, Bird does not disclose or suggest in any way, shape or form "the vest being shaped to essentially only cover a lung containing region of the patient's chest." Instead, as disclosed at column 4 lines 15 et seq. and clearly shown in Fig. 5, Bird's pneumatic belt assembly 12 is positioned below "the leaves of the diaphragm." Also, Bird does not disclose or suggest in any way, shape or form the limitation "a chest compression vest for applying force to a chest region of the patient" in combination with "the force applied by the chest compression vest induces sputum from the patient."

Accordingly, at least for any one of these reasons, applicants respectfully submit that amended independent claim 20, and dependent claims 21-26, are not anticipated by Bird, and hence withdrawal of the 35 U.S.C. 102(b) rejection thereof is respectfully requested.

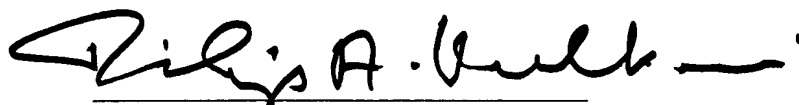
New claim 48 depends from claim 20, and is therefore allowable for the reasons given above in support of claim 20.

In view of the foregoing amendment and supporting remarks, the subject application is now deemed to be in condition for allowance, and such action is respectfully requested. If the Examiner believes that a telephonic interview would expedite the allowance of this application, he is requested to contact the undersigned for a prompt resolution of any outstanding issues.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and

shortages and other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435, with reference to file 7175-74147.

Respectfully submitted,
BARNES & THORNBURG



Dilip A. Kulkarni
Reg. No. 27,510

Indianapolis, Indiana
Tel: 317-231-7419
Fax: 317-231-7433
Email: dilip.kulkarni@btlaw.com